

Attorney Docket No. 22660-0009P1

PATENTS

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

### In Re New Patent Application

INVENTORS: M. Allen Northrup, Kurt E. Petersen, William A. McMillan, and Gregory T.A. Kovacs

TITLE: Unitary Chemical Processing Device

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

Sir:

### NEW PATENT APPLICATION TRANSMITTAL LETTER

Transmitted herewith for filing in accordance with 37 CFR 1.53(b) is the above-entitled Patent Application, including the following papers, correspondence and related instructions, as indicated:

Specification (Total pages 28)

Drawings (7 Sheets)

If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:  
[ ] Continuation [ ] Divisional  Continuation-in-part (CIP) of prior application No. 09/040,498

Oath or Declaration and Power of Attorney

Newly executed (original or copy)

[ ] Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional application)

[ ] Incorporation By Reference - The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

[ ] The enclosed Oath/Declaration has not been executed by all of the inventors. A fully executed Oath/Declaration will be substituted at a later date, together with the prescribed surcharge.

Assignment

Recordation Form Cover Sheet authorizing fee to be charged to Deposit Account

- Small Entity Statement  
 Statement filed in prior application. Status still proper and desired.
- Information Disclosure Statement (37 CFR 1.56, 1.97 and 1.98)
- Preliminary Amendment
- Return Receipt Postcard

Please address all future written communications to:

Heller Ehrman White & McAuliffe  
525 University Avenue  
Palo Alto, California 94301-1900

Please address all future telephonic communications to William Schmonsees at (650) 324-7041.

**Deposit Account Authorization**

The required fee is calculated below:

Basic Filing Fee (small entity): .....	\$380.00
Independent claims: <u>3</u> (-3 = <u>  </u> @ \$39each) .....	0.00
Total claims: <u>22</u> (-20 = <u>2</u> @ \$9 each) .....	18.00
Multiple Dependency Fee: <u>  </u> @ \$130 each.....	0.00
<b>TOTAL FILING FEE DUE: .....</b>	<b>\$398.00</b>

- Please charge \$398.00 and any additional fees which may be required, or credit any overpayment to Deposit Account No. 08-1641. This is not, however, an authorization to pay the issue fee. A duplicate of this document is enclosed.

Respectfully submitted,

William Schmonsees  
Attorney for Applicant(s)  
Registration No. 31,796

Date: March 17, 1999

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: M. Allen Northrup, Kurt E. Petersen, William A. McMillan, and Gregory T.A. Kovacs

Application No: not yet assigned  
Filed:

Group Art Unit: not yet assigned  
Examiner: not yet assigned

For: **UNITARY CHEMICAL PROCESSING DEVICE**

**VERIFIED STATEMENT (DECLARATION) CLAIMING  
SMALL ENTITY STATUS (37 CFR 1.9(c-f) and 1.27(b-d))**

With respect to the invention described in

- the specification filed herewith.  
 application no. \_\_\_\_\_, filed \_\_\_\_\_.  
 patent no. \_\_\_\_\_, issued \_\_\_\_\_.

**I. IDENTIFICATION OF DECLARANT AND RIGHTS AS A SMALL ENTITY**

I hereby declare that I am

- the owner of the small business concern identified below:  
 an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN CEPHEID

ADDRESS OF CONCERN 1190 Borregas Avenue, Sunnyvale, CA 94089

and

that the above identified small business concern qualified as a small business concern, as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Sections 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

## II. OWNERSHIP OF INVENTION BY DECLARANT

I hereby declare that rights under contract or law remain with and/or have been conveyed to the above identified

[ ] person

[X] concern

[ ] organization

EXCEPT, that if the rights held are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held (1) by any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, (2) any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or (3) a nonprofit organization under 37 CFR 1.9(e).

[X] no such person, concern, or organization

[ ] person, concerns or organizations listed below\*

## III. ACKNOWLEDGEMENT OF DUTY TO NOTIFY PTO OF STATUS CHANGE

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

## IV. DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

## V. SIGNATURES

NAME OF PERSON SIGNING Kurt E. Petersen

TITLE OF PERSON President  
(if signing on behalf of a concern or non-profit organization)

ADDRESS OF PERSON SIGNING CEPHEID, 1190 Borregas Avenue,

Sunnyvale, CA 94089  
SIGNATURE Kurt Petersen DATE 3/16/99